

**Sultani Decree
No. 99/92**

Regarding the Establishment of the Public Prosecution and the Issuance of its Law

We, Qaboos bin Said, Sultan of Oman

Having reviewed the Basic Statute of the State issued by Sultani Decree No. 101/96.

And the Police Law issued by Sultani Decree No. 35/90.

And the Organizational Structure of the Royal Oman Police approved by Sultani Decree No. 89/89.

And the Judicial Authority Law issued by Sultani Decree No. 99/90.

And based on the requirements of public interest.

Have Decreed the Following

Article One

An independent body named the Public Prosecution is established by virtue of this Decree. It shall follow the Inspector General of Police and Customs until the necessary cadres are qualified to legally exercise the central competences of the Public Prosecution.

Article Two

The Public Prosecution shall exercise the competences and powers of the General Department of Criminal Prosecution. The laws and regulations currently in force shall apply to its employees, until the commencement of the attached Law.

Article Three

The General Department of Criminal Prosecution is abolished from the aforementioned Organizational Structure of the Royal Oman Police. Its employees are transferred to the Public Prosecution, and the records related to the General Department of Criminal Prosecution shall devolve to it.

Article Four

The necessary allocations are designated for the Public Prosecution within an independent budget. The Inspector General of Police and Customs shall submit its estimates to the Ministry of Finance.

Article Five

All that contradicts this Decree or conflicts with its provisions is repealed.

Article Six

This Decree shall be published in the Official Gazette, and it shall be effective from the date of its publication. The attached Law shall be effective from the date of the commencement of the aforementioned Judicial Authority Law.

**Issued on: 13th of Sha'ban, 1420 AH
Corresponding to: 21st of November, 1999 AD**

**Qaboos bin Said
Sultan of Oman**

Public Prosecution Law

Article (1)

The Public Prosecution undertakes the public lawsuit in the name of society, supervises the affairs of judicial control, ensures the application of criminal laws, pursues offenders, and executes judgments, in addition to other competences determined by law.

Article (2)

As an exception to the provisions of Article (1), the Royal Oman Police shall undertake the public lawsuit in misdemeanors.

Article (3)

Until the necessary cadres to occupy the Public Prosecution positions stipulated in Article (5) are qualified, the Inspector General of Police and Customs may assign some national police officers to investigate felonies.

Article (4)

The Public Prosecution is indivisible, and any member thereof represents the others, unless the law specifies that a particular act or specific procedure falls within the competence of the Attorney General, his Deputy, his Assistants, or a Chief of Public Prosecution.

Article (5)

The positions of the Public Prosecution are structured as follows:

- Attorney General.
- Deputy Attorney General.
- Assistant Attorneys General.
- Chiefs of Public Prosecution.
- First Deputy Public Prosecutors.
- Second Deputy Public Prosecutors.
- Assistants to the Public Prosecution.

Article (6)

Members of the Public Prosecution follow their superiors according to the order of their positions. They all follow the Attorney General, and the Attorney General follows the Inspector General of Police and Customs, without prejudice to the Attorney General's independence in his judicial work.

The Inspector General has the right of administrative control and supervision over all members of the Public Prosecution. The Attorney General has the right of control and supervision over the members of the Public Prosecution and may issue instructions regulating their work.

Article (7)

Appointment to the positions of the Public Prosecution shall be by a decision from the Inspector General of Police and Customs after the approval of the Council of Administrative Affairs stipulated in the Judicial Authority Law, except for the position of Attorney General and the position of Deputy Attorney General, whose appointment shall be by a Sultani Decree based on nomination by the Council upon the proposal of the Inspector General.

Article (8)

The positions of the Public Prosecution are equated with the positions of judges as per the schedule of salaries, allowances, and bonuses prescribed for judges issued by a Sultani Decree. The provisions regulating judges' affairs concerning appointment, promotion, seniority, inspection, and other functional matters shall apply to its members, in matters not specifically addressed in this Law. The Inspector General of Police and Customs shall be the competent Minister in this regard.

Article (9)

The provisions related to judicial immunity and the procedures for lifting it, stipulated in the Judicial Authority Law, shall apply to members of the Public Prosecution - except for Assistants to the Public Prosecution.

Article (10)

Anyone who has passed the prescribed training according to the system established by the Council of Administrative Affairs stipulated in the Judicial Authority Law, and issued by a decision of the Inspector General of Police and Customs, shall be appointed to the position of Deputy Public Prosecutor. The training period shall not be less than two years. If an Assistant to the Public Prosecution fails the prescribed training within a maximum of three years, he shall be transferred to a non-judicial position, which shall be determined according to his qualifications and experience.

Article (11)

Members of the Public Prosecution shall take the following oath before assuming their functions: "I swear by Almighty God to be faithful to the public lawsuit and to ensure the application of laws and the execution of judgments with all integrity and justice." The Attorney General shall take the oath before His Majesty the Sultan in the presence of the Inspector General of Police and Customs. Other holders of Public Prosecution positions shall take the oath before the Inspector General in the presence of the Attorney General. This

Article (12)

An Inspection Department shall be established within the Public Prosecution, headed by the Deputy Attorney General and a sufficient number of Assistant Attorneys General and Chiefs of Public Prosecution, who shall serve for a term of one year, renewable by a decision of the Attorney General.

Article (13)

The department stipulated in Article (12) is specialized in inspecting the work of Assistant Attorneys General and those below them, and examining and investigating complaints submitted against members of the Public Prosecution related to their functional duties and obligations or disciplinary matters, according to the rules and procedures stipulated in the Judicial Authority Law, provided that the inspector or investigator is senior to the member whose work is being inspected or who is being investigated.

Article (14)

The Inspector General of Police and Customs shall issue a bylaw regulating the inspection of the work of members of the Public Prosecution, after the approval of the Council of Administrative Affairs stipulated in the Judicial Authority Law.

Article (15)

The provisions and procedures prescribed for the accountability of judges shall be followed in holding members of the Public Prosecution accountable, except for the notification of the lawsuit petition and the summons to appear, which shall be handled by the Attorney General. The accountability lawsuit against the Attorney General shall be filed by the Inspector General of Police and Customs. In this case, the Inspector General shall be represented in the procedures by the most senior Deputy President of the Supreme Court who is not a member of the Accountability Council.

Article (16)

The transfer of members of the Public Prosecution from one location to another within the Public Prosecution shall be by a decision of the Attorney General.

Article (17)

The Inspector General of Police and Customs and the Attorney General have the right to issue warnings to members of the Public Prosecution, and the Inspector General has the right to warn the Attorney General. The provisions stipulated in the Judicial Authority Law shall apply to this warning.

Article (18)

The function of the Public Prosecution before the courts - except the Supreme Court - shall be performed by the Attorney General, his Deputy, one of the Assistant Attorneys General, Chiefs of Public Prosecution, or their Deputies. In the absence of the Attorney General, the vacancy of his position, or the existence of an impediment preventing him from acting, his Deputy shall replace him. In the absence of the Deputy, the vacancy of his position, or the existence of an impediment preventing him from acting, he shall be replaced by the most senior, then the next senior, of the Assistant Attorneys General, who shall have all his competences.

Article (19)

A Public Prosecution shall be established at the Supreme Court to perform the function of the Public Prosecution before the Court. It shall be composed of one of the Assistant Attorneys General as Director and a number of Chiefs of Public Prosecution as members. Each of the Director and the members shall serve for a term of one year, renewable by a decision of the Inspector General of Police and Customs after seeking the opinion of the Attorney General and the approval of the Council of Administrative Affairs stipulated in the Judicial Authority Law. It shall represent the Public Prosecution before the Supreme Court - except in criminal appeals - and its representative shall have the right to attend deliberations upon the Court's request, with a deliberative voice.

Article (20)

Each Court of Appeal shall have one of the Assistant Attorneys General, assisted by a number of Chiefs of Public Prosecution and First Deputy Public Prosecutors. Under the supervision of the Attorney General, he shall have all the competences stipulated by law.

Article (21)

In matters not covered by a text in this Law or the Judicial Authority Law, the provisions of the Civil Service Law and its executive regulations, and the provisions of the Post-Service Pensions and Gratuities Law for Government Civil Employees shall apply to members of the Public Prosecution.

Article (22)

As an exception to the provision of Article (21), the provisions of the Post-Service Pensions and Gratuities Law for Government Civil Employees or the pension system they are subject to, whichever is more beneficial, shall apply to employees working in the Public Prosecution on the date of enforcement of this Law.

Article (23)

The Inspector General of Police and Customs shall issue a decision to settle the status of members of the Public Prosecution who are in service on the date of enforcement of this Law, by transferring them to positions equivalent to their positions.

The equivalent positions shall be determined based on the years of experience stipulated in the Judicial Authority Law. He shall also issue a decision to settle the status of the remaining employees of the Public Prosecution in accordance with the Civil Service Law and its executive regulations.

All these employees shall retain their salaries if they exceed the salaries prescribed for the positions they are transferred to.

Article (24)

His Majesty the Sultan shall exercise the competences of the Council of Administrative Affairs stipulated in the Judicial Authority Law during the period from the date of enforcement of this Law until the positions constituting the Council are filled.

Article (25)

The appointment of secretaries, employees, and translators, and the organization of their work, shall be by a decision of the Attorney General. The Attorney General or his delegate shall, with respect to these individuals, have the authority of the head of the unit as stipulated in the laws and regulations.